

Matter of Childerston
Del. Supr. No. 113, 2002 (3/6/02)
Board Case No. 5, 2001

Disciplinary Rules Involved: DLRPC 8.4(b)

Sanctions Imposed: Disbarment.

By Order of the Delaware Supreme Court dated March 6, 2001, H. James Childerston (the “Respondent”), was suspended from practice before the Bar on an interim basis pending final disposition of disciplinary charges against him. On August 16, 2001, the Respondent pled guilty in federal district court to bank fraud in violation of 18 U.S.C. § 1344. On March 4, 2002, the Respondent was sentenced to 30 months’ incarceration.

The Office of Disciplinary Counsel (“ODC”) and the Respondent, through his counsel, jointly submitted to the Delaware Supreme Court, pursuant to Rule 17(e) of the Delaware Lawyers’ Rules of Disciplinary Procedure, a Stipulation of Disbarment by Consent. The Court ruled that the Respondent’s conviction of a serious crime is conduct in violation of Rule 8.4(b) of the Delaware Lawyers’ Rules of Professional Conduct, which provides that it is misconduct for a lawyer to commit a criminal act that reflects adversely on the lawyer’s fitness as a lawyer. The Court ordered that the Respondent be disbarred from the practice of law in Delaware and that his name be stricken from the roll of attorneys licensed to practice before the courts of the State of Delaware.